

ROCKEY, DEPKE, LYONS & KITZINGER, LLC

Sears Tower

Suite 5450

Chicago, IL 60606

Of Counsel
Lewis T. SteadmanRECEIVED
CENTRAL FAX CENTERPhone (312) 277-2006
Fax (312) 441-0570

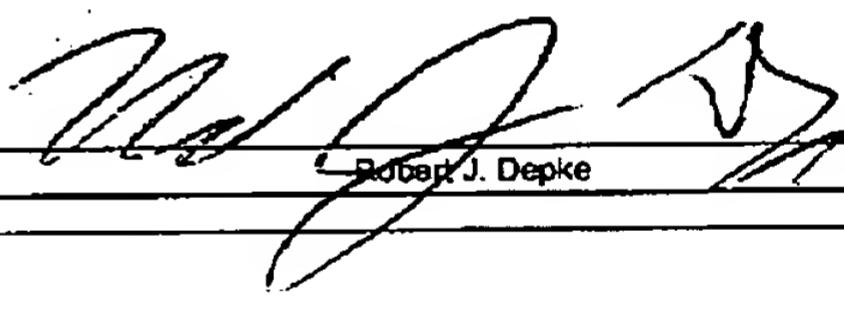
AUG 28 2006

FACSIMILE TRANSMISSION

TOTAL PAGES (Including Cover Page) 8 DATE: 8/28/06
 Commissioner of Patents and Trademarks
 TO: Examiner: James M. Mitchell FROM: Robert J. Depke, Reg. No. 37,607
 FAX NO: (571) 273-8300 FAX NO: (312)704-8137

If you experience any difficulty with this transmission, please call (312) 277-2006 for assistance.

ORIGINAL COPY AND ENCLOSURES
 WILL BE SENT BY MAIL COURIER
 WILL NOT BE SENT

NOTES:	CERTIFICATION OF FACSIMILE TRANSMISSION
Inventor: Kazuo Nishiyama	I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office to facsimile no. 1-571-273-8300 on <u>8/28/06</u>
Serial No. : 09/843,630	
Art Unit: 2813	<u>Robert J. Depke</u>
Filed: April 27, 2001	
Attorney Ref.: 075834.00074	

IMPORTANT NOTICE

This transmission (including all attached pages) is intended only for the use of the named addressee(s), and may contain information that is privileged or exempt from disclosure under applicable law. **IF YOU ARE NOT A NAMED ADDRESSEE, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS TRANSMISSION IS STRICTLY PROHIBITED.** If you have received this transmission in error, please destroy all copies and notify us immediately at this telephone number: (312) 277-2006.

RECEIVED
CENTRAL FAX CENTER

AUG 28 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

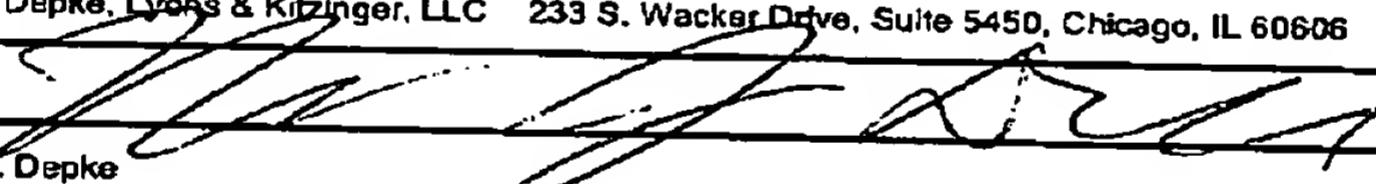
Total Number of Pages in This Submission

Application Number	09/843,630
Filing Date	April 27, 2001
First Named Inventor	Kazuo Nishiyama
Art Unit	2813
Examiner Name	James M. Mitchell
Total Number of Pages in This Submission	075834.00074

ENCLOSURES (Check all that apply)

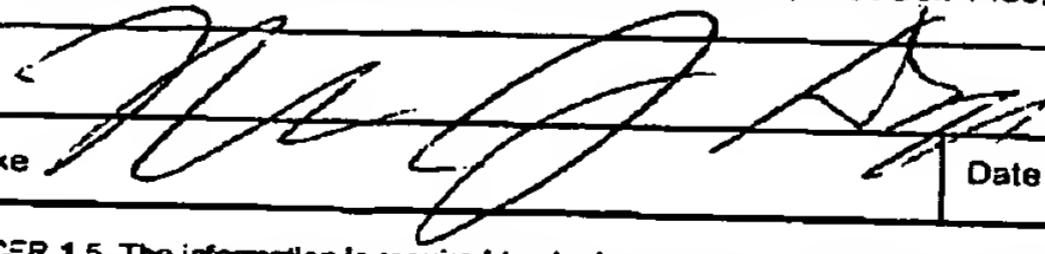
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
The Commissioner is hereby authorized to charge any fees due or credit any overpayment to Deposit Account No. 50-3891. A duplicate copy of this sheet is enclosed.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Rockey, Depke, Lyons & Kitzinger, LLC 233 S. Wacker Drive, Suite 5450, Chicago, IL 60606		
Signature			
Printed name	Robert J. Depke		
Date	8/28/06	Reg. No.	37,607

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Robert J. Depke	Date	8/28/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AUG 28 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/843,630
Applicant: Kazuo Nishiyama
Filed: April 27, 2001
TC/A.U.: 2813
Examiner: James M. Mitchell
Docket No.: 075834.00074
Customer No.: 33448

Confirmation No.: 9204

CERTIFICATION OF FACSIMILE TRANSMISSION ON

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office to fax number (571) 273-8300 on:

8/28/06 Date

Robert J. Depke Signature

AMENDMENT A

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

SIR:

In response to the Office Action mailed July 26, 2006 please amend the above-identified application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.